

**IDAHO ADVISORY COMMITTEE TO
THE U.S. COMMISSION ON CIVIL RIGHTS
MEETING MINUTES**

March 10, 2017

The Idaho Advisory Committee to the U.S. Commission on Civil Rights (Committee) convened a conference call to discuss the contents and vote on the report focused on public school spending and begin discussions on project topics. Marshall Mend chaired the meeting. The meeting was open to the public and took place from 1:10 PM to 2:00 PM MT.

State Advisory Committee Members:

Present:

- Marshall Mend
- Patricia Carter-Goodheart
- Richard Cummings
- Peter Optekar
- Dilshani Sarathchandra
- Shaakirah Sanders
- Rudolph Wilson

Absent:

- Michael Riley
- Scott Yenor
- Dina Flores-Brewer
- Margie Gonzalez
- Paulette Jordan
- Stephan Smith

Commission Staff present:

- Ana Victoria Fortes (Designated Federal Officer, DFO)
- David Mussatt
- Angelica Trevino

Members of the Public present:

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Meeting Notes/Decisions Made:

I. Welcome

II. Approval of February 8, 2017 Meeting Minutes

- Patricia Carter-Goodheart motions to accept minutes
- Peter Optekar seconds

III. Review of Idaho Report on Equity on Public School Spending

- Subcommittee members, Richard Cummings and Margie Gonzalez were not present at the time to discuss the contents of the report
- Agenda item will be postponed until the next Committee meeting

IV. Discussion of Civil Rights Issues in Idaho

- Chair inquired about the rights of prisoners to USCCR staff.
 - Answer: If the topic is related to voting rights and discrimination or disparate impact affecting one or more of the federally protected categories, then USCCR has the authority to explore the topic
- DFO discussed USCCR jurisdiction and shared the process by which Committees have decided on topics:
 - USCCR is a fact-finding agency whose mission is to explore topics related to voting rights and to determine if there is disparate impact or denial of equal protection of the laws under the Constitution affecting a federally protected class
 - The project concept phase typically take 2-3 Committee meetings to decide on a topic affecting individuals in Idaho only. Strategies that Committees have used to decide on a topic have been:
 - Committee members present on a topic and members can decide to move forward with a vote or to narrow down to 3 topics
 - Committee members invite experts to present on those topics
 - A few committee members will meet with other members to combine ideas that would later be presented to the full Committee
- Chair continued to discuss prison topics and brainstormed experts to invite to speak on this topic such as the Southern Poverty Law Center
- Peter Optekar inquired about state prisoner safety and if it qualifies under USCCR jurisdiction
 - Answer: An advisory committee to the Bureau of Prisons may be better suited to explore this topic. USCCR may explore if whether a

protected class within the state prison system is disproportionately affected by a policy of the prison

- Peter Optekar inquired about immigrant detention centers and the use of solitary confinement and if it qualifies under USCCR jurisdiction
 - Answer: immigrants who may be singled out by national origin and affected by a policy of the prison may be an issue that the USCCR could explore
- Patricia Carter-Goodheart is interested in exploring LGBT discrimination
 - LGBT are a protected class under a Supreme Court decision and EEOC's guidance on sex discrimination in employment, where discrimination against the LGBT is based upon stereotypes of how genders are assumed to behave
- Shaakirah Sanders is interested in exploring mental health in the prison system
 - Committee member is currently working with the ACLU, Idaho Psychiatrist Association and various public defenders groups to advocate for changes in the Idaho statute exempting the mentally ill from receiving the death penalty in criminal cases
- Dilshani Sarathchandra is interested in environmental justice
 - Committee member is concerned that individuals living in mobile home parks, largely veterans and the disabled, have lack of access to clean water and experience poor living conditions

V. Public Comment

VI. Next meeting

- DFO will send links to past State Advisory Committee reports, reach out to Margie and Richard to determine a date on when to meet, and will send out a Doodle Poll to the remainder of the group

VII. Adjournment

- Richard Cummings motions to adjourn
- Dilshani Sarathchandra seconds